

### **A summary of the Miami-Dade County Towing Ordinance**

- The ordinance reinstates licensing and regulation of the towing industry to pre-1998 levels. In accordance with the October 2002 decision by the Supreme Court in *Ours Garage and Wrecker Service, Inc. v. City of Columbus*, towing regulations must be safety related.
- Non-consent towers must provide rates, charges and other information to the Consumer Services Department with their initial towing business application and upon renewal.
- If a towing application remains incomplete for more than 60 days from receipt by the CSD, it will be considered abandoned thus requiring a new application.
- Towing licenses will not be issued if any monies are due to Miami-Dade County.
- The Director of the Consumer Services Department can reject any initial or renewal application for a tower's license where that application does not meet all the requirements of the ordinance.
- The Director of the Consumer services Department can also suspend or revoke the license of any tower who violates any section of the Towing Ordinance.
- A tower whose initial or renewal license application license has been rejected, or who has had his/her license suspended or revoked may appeal to an administrative hearing and where this appeal is unsuccessful, to the Circuit Court.
- Non-consent towers are required to maintain financial and operating records, including copies of private property contracts for CSD inspection during regular business hours.
- Towers must include their towing license number on all advertisements.
- Non-consent towers will be required to get explicit authorization from a property owner before removing and storing vehicles.
- The ordinance requires that parking prohibition be indicated by the prominent posting of Tow-Away Zone signs. These signs must display the name and telephone number of the company with which the property owner has contracted for towing services, as well as the address of the towing company's storage facility.
- If someone is occupying a vehicle it may not be towed or removed from any property without the consent of the vehicle's owner or authorized driver.
- Towers will be responsible for recording dates and times that vehicles are delivered to storage facilities to allow the CSD to ensure that consumers are assessed the proper storage charges, if applicable.
- A vehicle must be brought to a storage facility within a ten (10) mile radius of the location from where it was removed.
- The storage facility must have an office which is open from at least 8:00 a.m. until 6:00 p.m. Monday through Friday except holidays. When the office is closed there must be an answering system available to the public 24-hours a day.
- Each vehicle storage site must prominently display a schedule of [charges and rates](#) for non-consent tows.

- A consumer who calls a storage facility to retrieve a vehicle must be told at least the following:
  - The documents necessary to retrieve the vehicle
  - The exact charges due for towing and storage at the time of the call and the rates at which additional charges may be added.
  - The acceptable methods of payment.
  - When the storage facility is open.
- A consumer whose vehicle is being stored after a tow (or his/her representative) must be allowed the opportunity to inspect the vehicle and to remove all personal property prior to payment.
- The storage facility must accept at least two of the following forms of payment
  - Cash, money order, or valid traveler's check
  - Valid bank credit card
  - Valid personal check